

# **FREDERICK COUNTY PLANNING COMMISSION**

## **November 14, 2018**

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**TITLE:** **FY-2019 Frederick County Installment Purchase Program (IPP) Applications**

**FILE NUMBER:** **N/A**

**REQUEST:** **A finding of consistency with the County Comprehensive Plan.**

**PROJECT INFORMATION:**

ADDRESS/LOCATION: multiple, see attached

TAX MAP/PARCEL:

COMP. PLAN:

ZONING:

PLANNING REGION:

WATER/SEWER:

**APPLICANT/REPRESENTATIVES:**

APPLICANT: multiple, see attached

OWNER:

ENGINEER:

ARCHITECT:

ATTORNEY:

**STAFF:** Anne Bradley, Land Preservation Admin.

**RECOMMENDATION:** Find consistent with the County Comprehensive Plan

**ATTACHMENTS:**

EXHIBIT 1- Maps

## STAFF REPORT

### **ISSUE**

The request is for a finding of consistency with the County Comprehensive Plan for IPP applications #19-01 to #19-19 and #19-21 to #19-22.

### **BACKGROUND**

The Frederick County Installment Purchase Program (IPP) was created in 2002 to supplement local land preservation efforts and to provide an attractive alternative to existing land preservation programs. The IPP Program utilizes a dedicated revenue source, a portion of the local recordation tax collections, to make offers to landowners for permanent preservation easements. Since 2002, the County has permanently preserved 129 farms on 20,014 acres.

The County received 22 applications for the FY-2019 Installment Purchase Program (IPP) encompassing 1,843 acres of land. These 22 applications include 4 first time applicants to agricultural preservation programs and several first time applicants to the Installment Purchase Program. One applicant has withdrawn their application from further consideration therefore application #19-20 will not be considered as part of this review. Preliminary funding estimates indicate that over half of the 21 applications will be able to receive offers. For this reason staff is recommending we forward all of the applications to a public hearing for consideration by the County Council.

Several of the applications have been reviewed by the Planning Commission in previous cycles. Staff has included all 21 of the applications for a more detailed review due to the fact that many applications in the FY-2019 cycle are new, and because some of the applications that have been previously reviewed by the Planning Commission are of interest with respect to the County's Comprehensive Plan.

### **County Comprehensive Plan**

All of the applications, with the exception of #19-02 (Mehring) and a portion of #19-04 (Dotterer), are designated Agricultural/Rural and or Natural Resource in the Comprehensive Plan. Application #19-02 (Mehring) is within the municipality of Walkersville. A small portion of #19-04 (Dotterer) (approx. 1.5 acres) is designated as Rural Community in the Comprehensive Plan. Please see explanations below discussing these applications in more detail.

Five of the applications (#19-01, #19-03, #19-04, #19-06, and #19-10) are located within a Priority Preservation Area (PPA). All of the applications, with the exception of approximately 1.5-acres of #19-04 (Dotterer), are zoned Agricultural and/or Resource Conservation. Applications within close proximity to municipalities (#19-02 (Mehring), #19-08 (Fornwald), #19-14 (Culler), and #19-19 (Favorite/Keeney)) were forwarded to the respective municipality for comment.

**#19-02- Mehring** – The Mehring application consists of 74.5 acres on the east side of Dublin Road (see page 6). The farm lies within the Town of Walkersville. The property is designated as Agricultural/Rural on the Town of Walkersville Comprehensive Plan, adopted in 2011. The Town of Walkersville is aware of the property's agricultural preservation easement application and supports the application for permanent preservation. The Mehring property has an exceptional soil score and adjoins a block of preserved farmland totaling 879 acres. For these reasons, staff believes an easement on this property would be consistent with the County Comprehensive Plan.

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**#19-04- Dotterer** – The Dotterer application consists of approximately 44.5 acres on the east side of MD 75 (Green Valley Road). See page 7. The majority of the property is zoned Agricultural. The remaining approximately 1.5 acres is zoned Village Center (VC) and is developed with a residence and several out buildings. This small area is designated as Rural Community on the County Comprehensive Plan. These designations can be compatible with agricultural preservation and the landowner understands some uses allowed within the Village Center District will not be permitted under the IPP easement. The Dotterer application adjoins a block of continuous preserved farmland that totals 4,038 acres. For these reasons, staff believes an easement on this property would be consistent with the County Comprehensive Plan.

## **RECOMMENDATION**

Staff recommends a finding of consistency with the County Comprehensive Plan on applications #19-01 to #19-19 and #19-21 to #19-22.

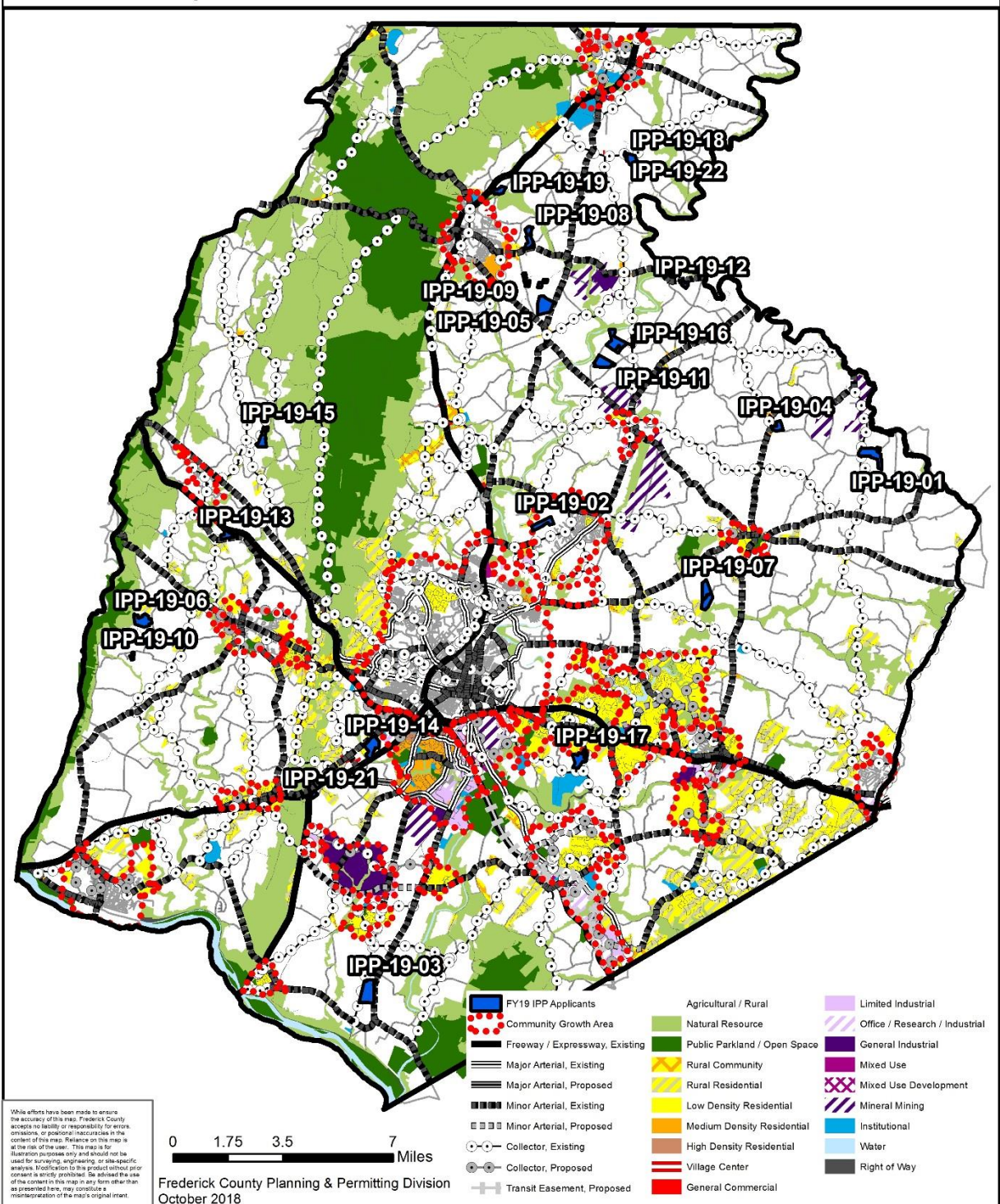
## **PLANNING COMMISSION ACTION**

### **MOTION TO FIND CONSISTENT**

I move that the Planning Commission **FIND the FY 2019 Frederick County Installment Purchase Program (IPP) applications, #19-01 to #19-19 and #19-21 to #19-22, to be consistent with the County Comprehensive Plan,** as listed in the staff report based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

## Exhibit 1

### FY-2019 Frederick County Installment Purchase Program (IPP) Applications Shown with Frederick County Comprehensive Plan Frederick County, MD

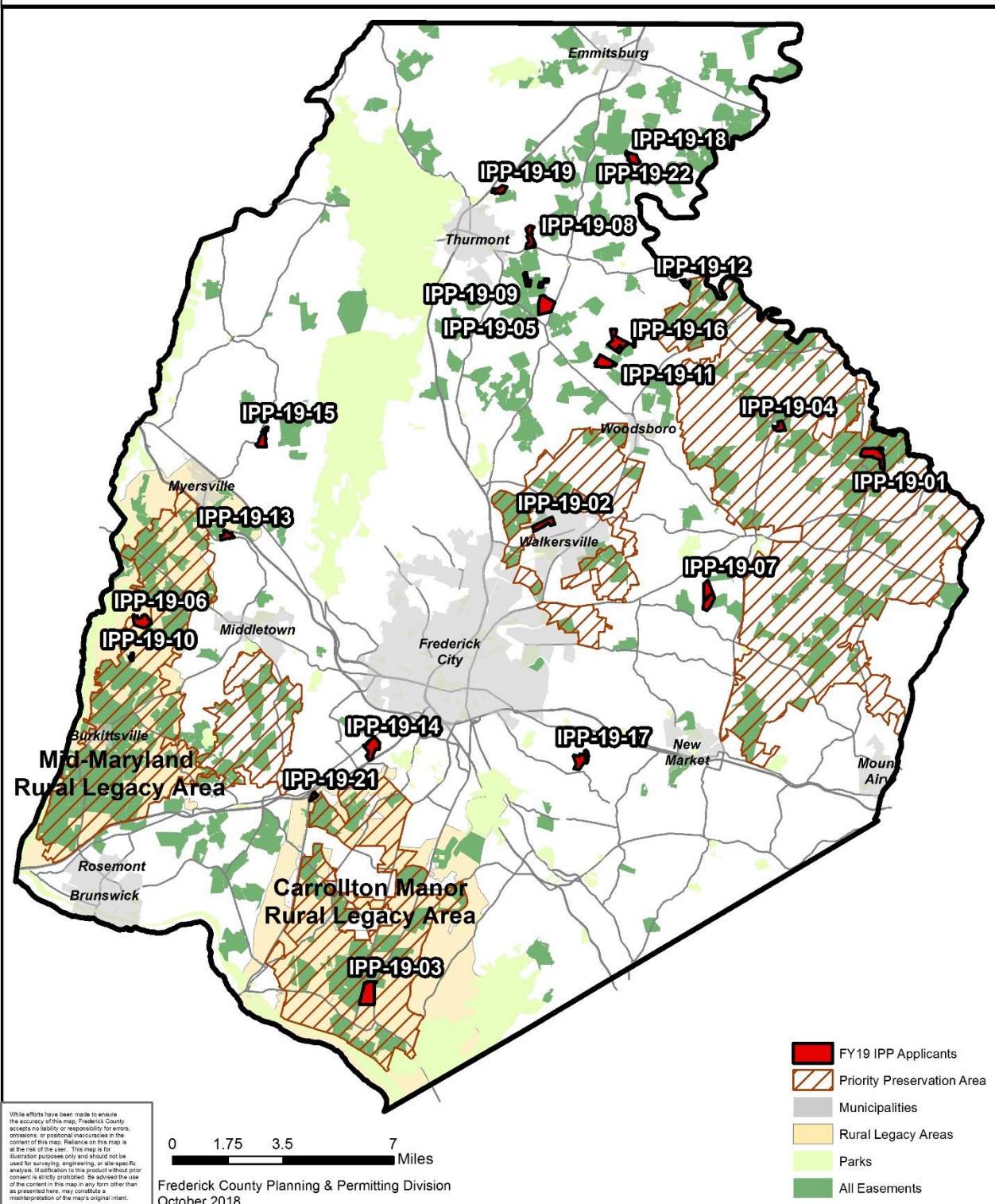


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# FY-2019 Frederick County Installment Purchase Program (IPP) Applications Frederick County, MD



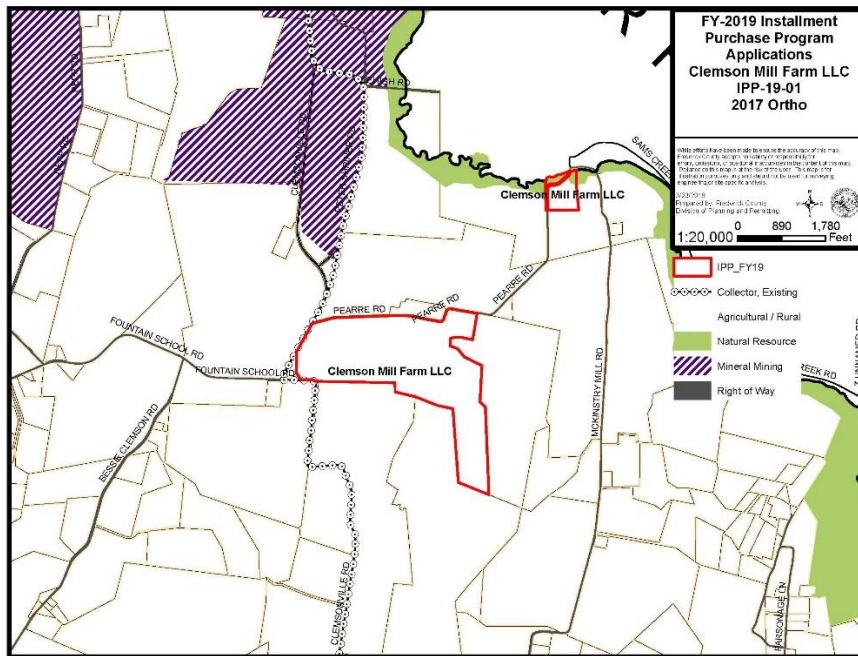
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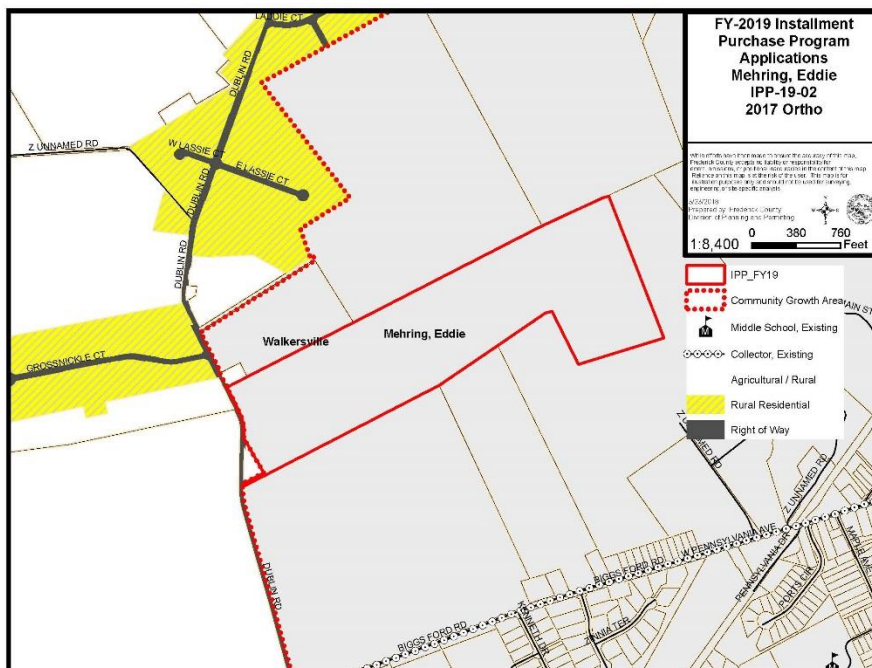
### 19-01- Clemson Mill Farm, LLC

156.08 acres located on the south and east sides of Pearre Road, east of Clemsonville Road.



### 19-02- Mehring, Eddie

74.5 acres located on the east side of Dublin Road, north of Biggs Ford Road. The property is within the Town of Walkersville.



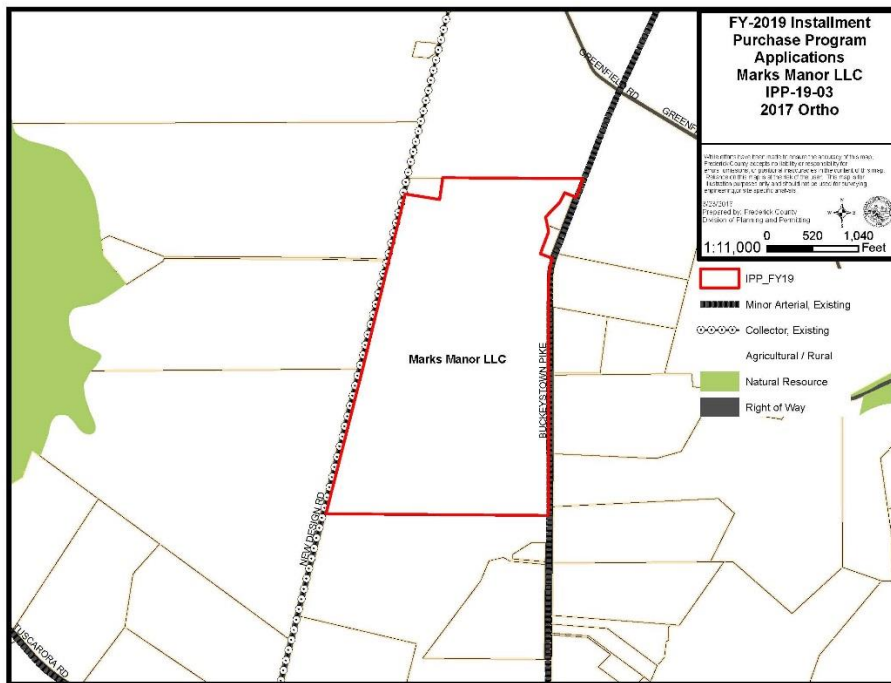
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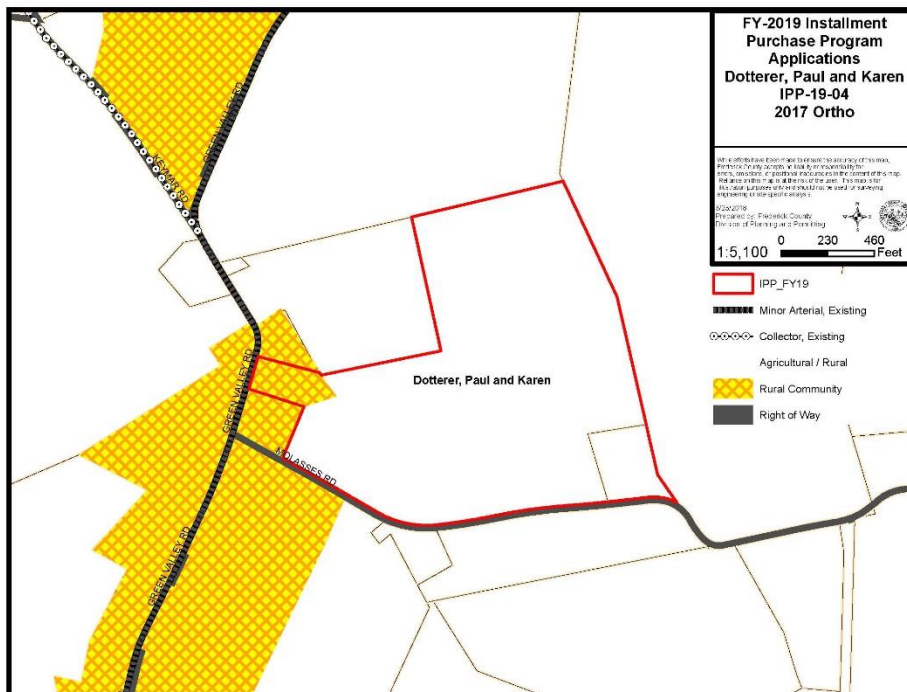
### 19-03- Marks Manor, LLC

180.63 acres located on the west side of Buckeystown Pike, south of Greenfield Road.



### 19-04- Paul and Karen Dotterer

44.61 acres located on the east side of Green Valley Road, and the north side of Molasses Road.



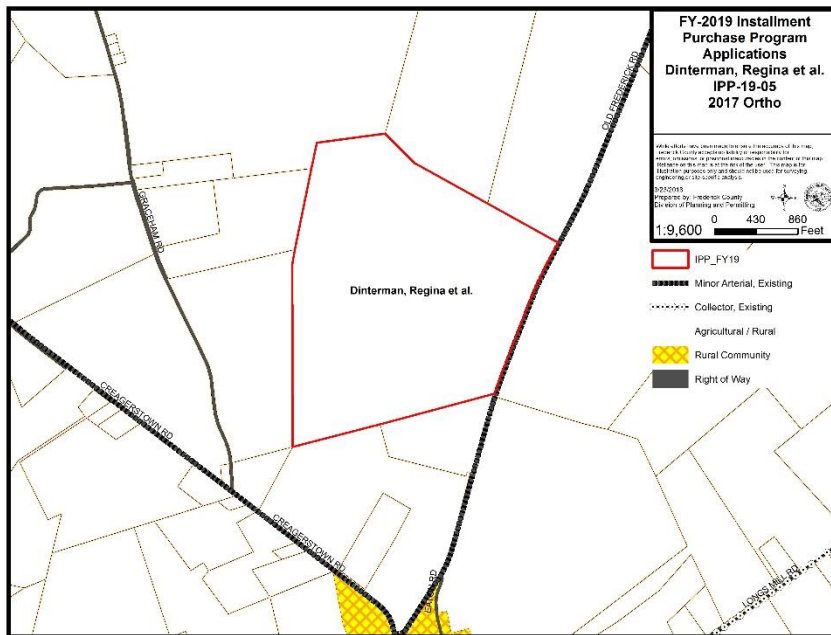
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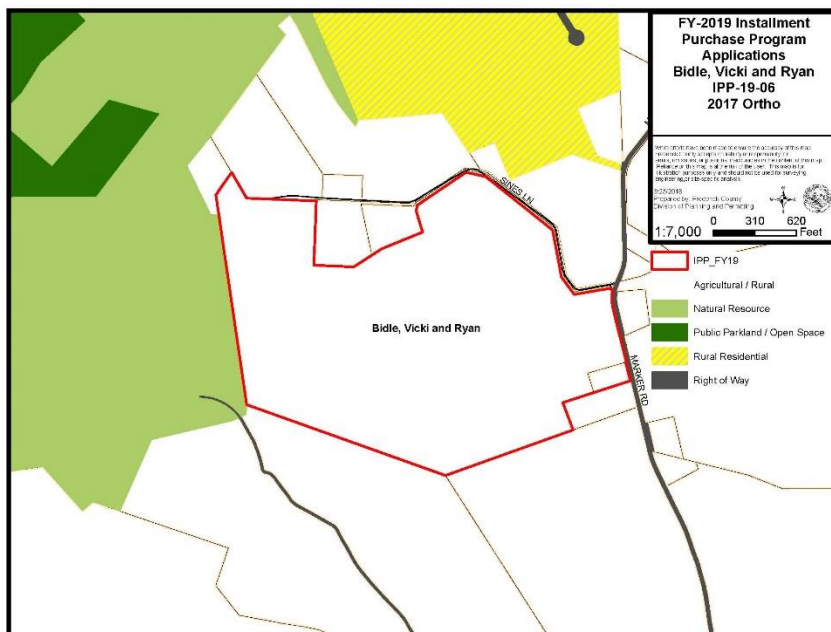
19-05- Regina Dinterman et al.

142.5 acres located on the west side of Old Frederick Road, north of Creagerstown Road.



19-06- Vicki and Ryan Bidle

104.92 acres located on the west side of Marker Road, and the south side of Sines Lane.



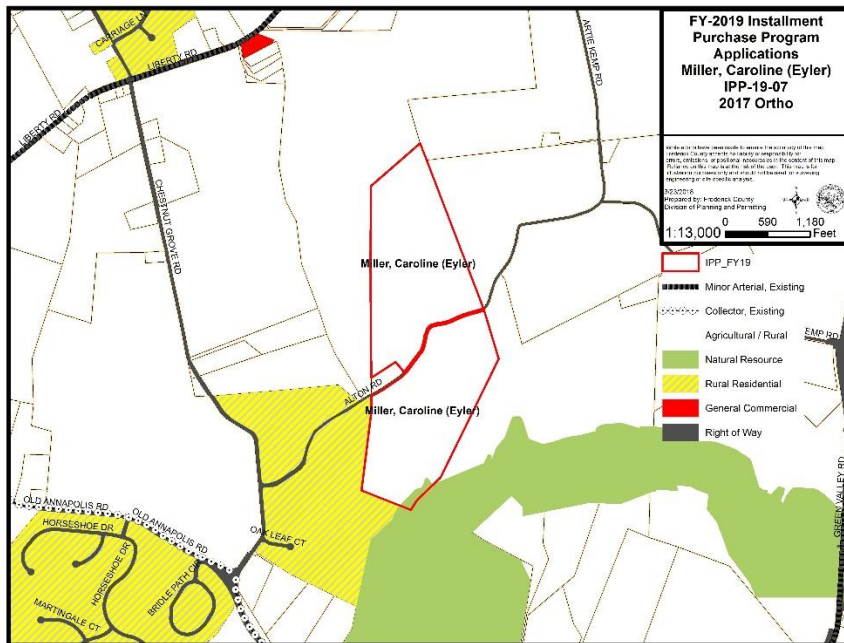
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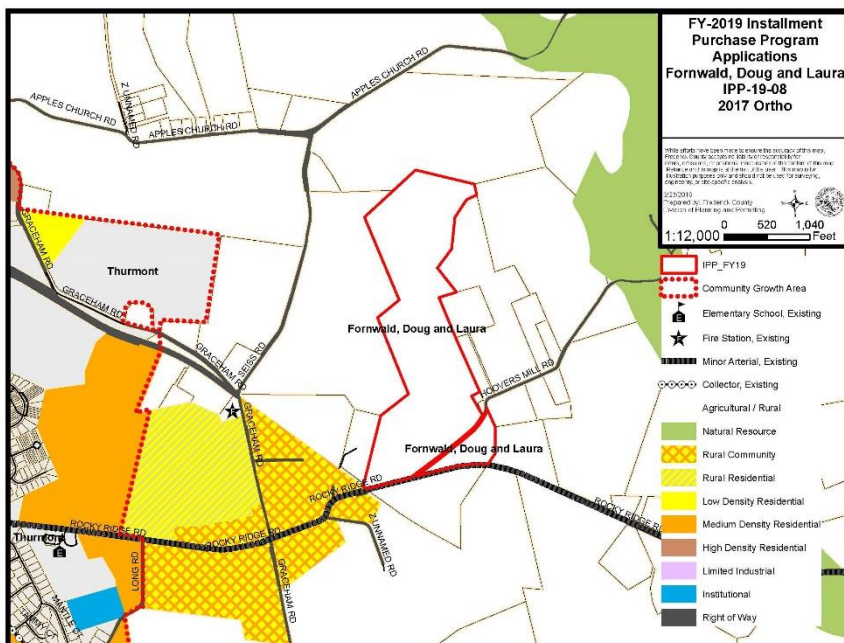
### 19-07- Caroline Miller (Betty Eyler Life Estate)

106.21 acres located on the north and south sides of Alton Road, east of Chestnut Grove Road.



### 19-08- Doug and Laura Fornwald

80.43 acres located on the north side of Rocky Ridge Road, and the north and south side of Hoovers Mills Road. The property is less than ½ mile west of the Town of Thurmont.



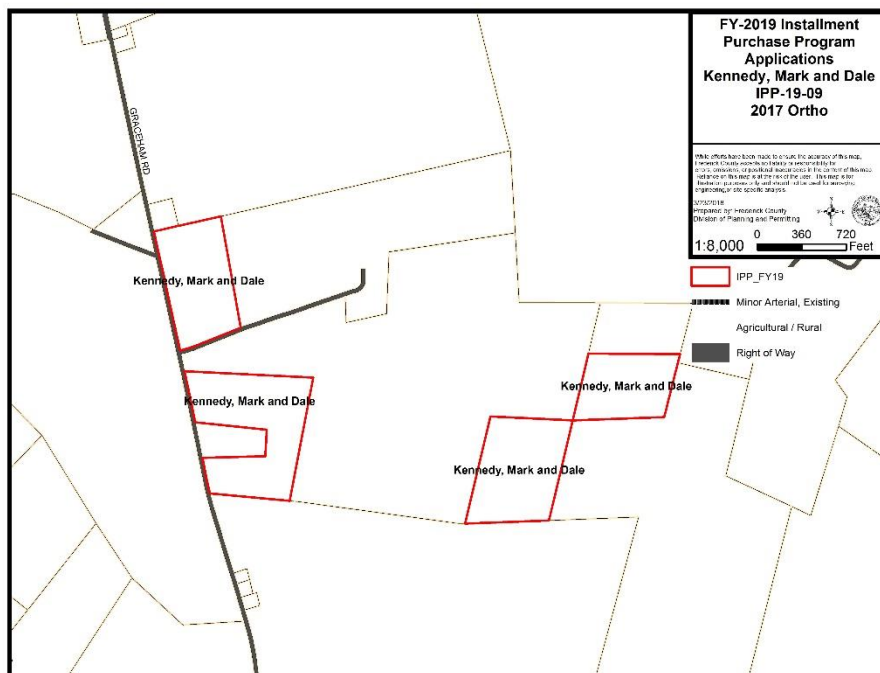
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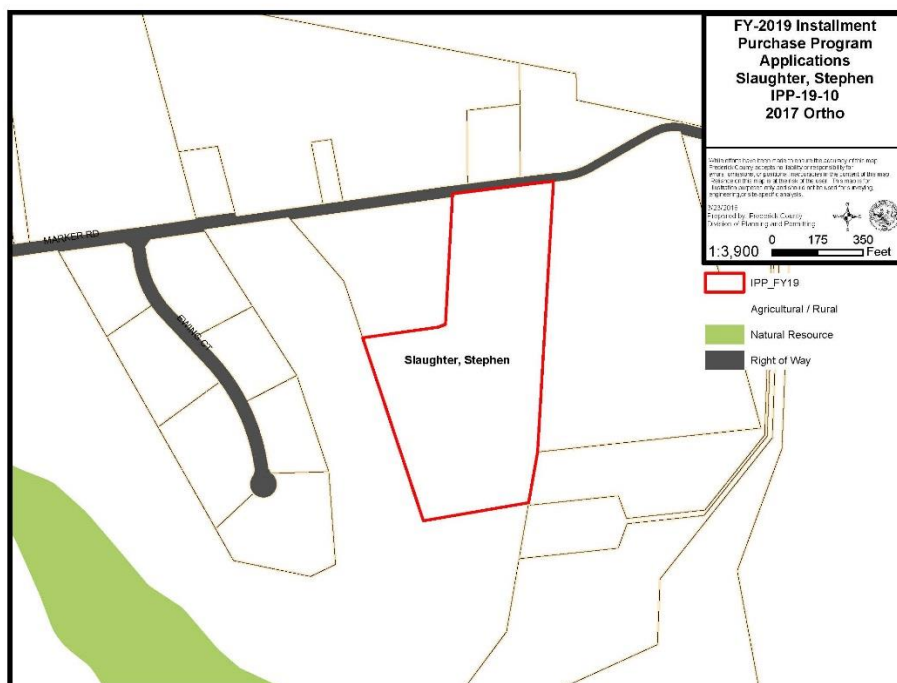
19-09- Mark and Dale Kennedy

49.34 acres located on the east side of Graceham Road, south of Rocky Ridge Road.



19-10- Stephen Slaughter

13.31 acres located on the south side of Marker Road, east of Ewing Court.



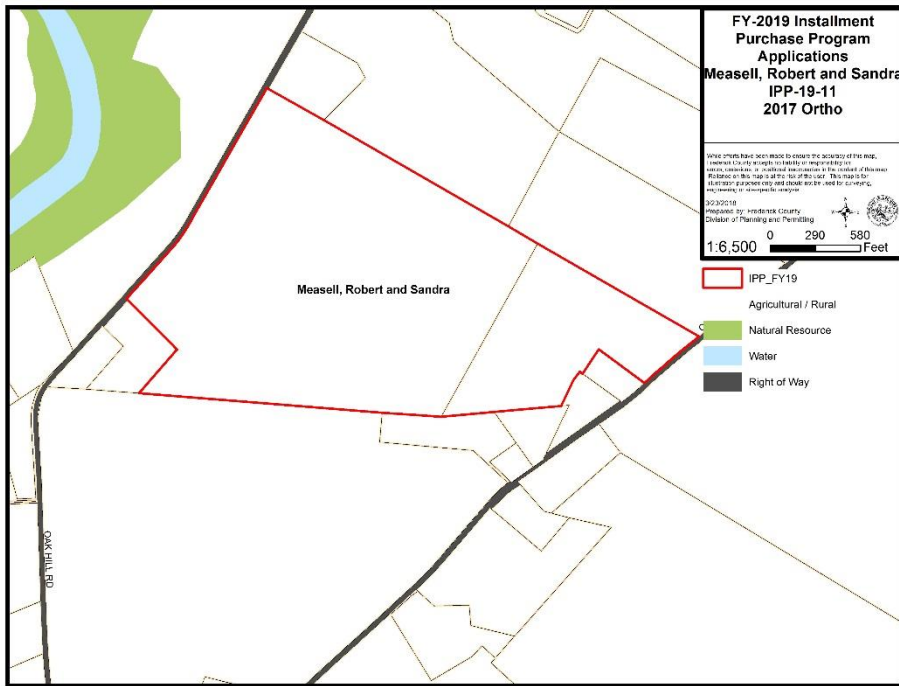
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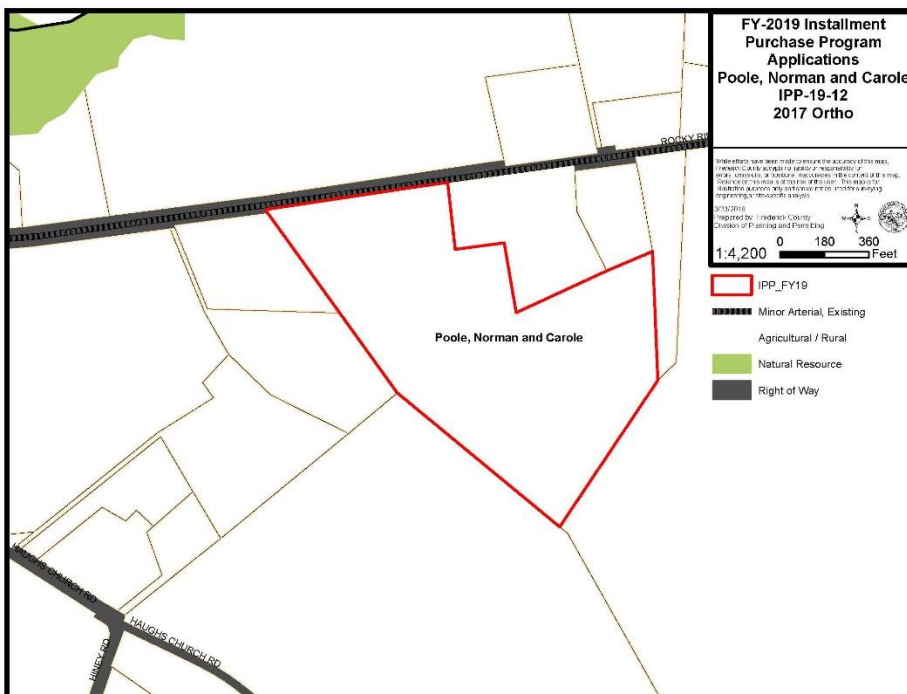
19-11- Robert and Sandra Measell

98.34 acres located on the east side of Oak Hill Road, west of Clyde Young Road.



19-12- Norman and Carole Poole

25 acres located on the south side of Rocky Ridge Road, west of Detour Road.



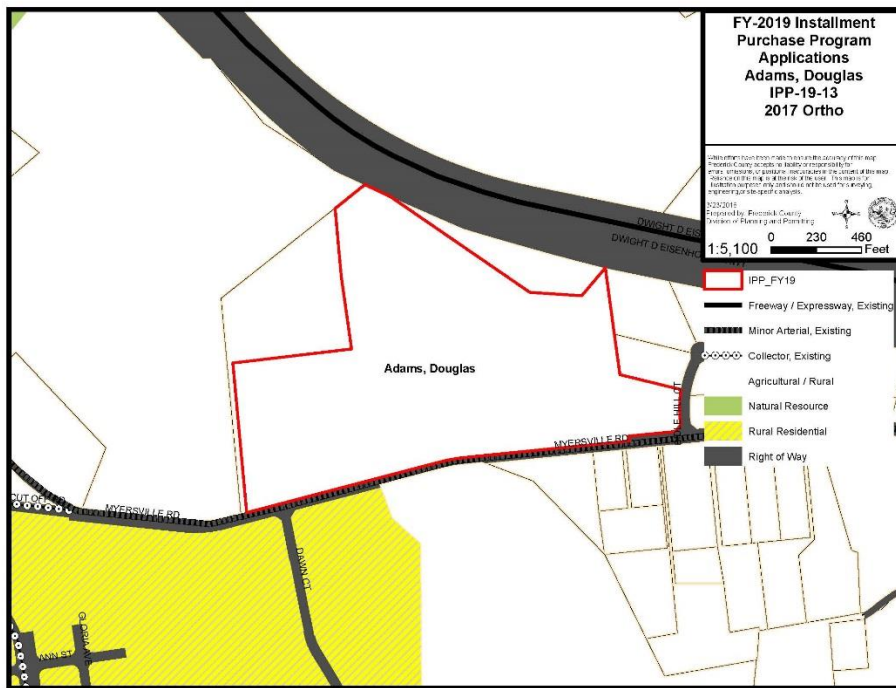
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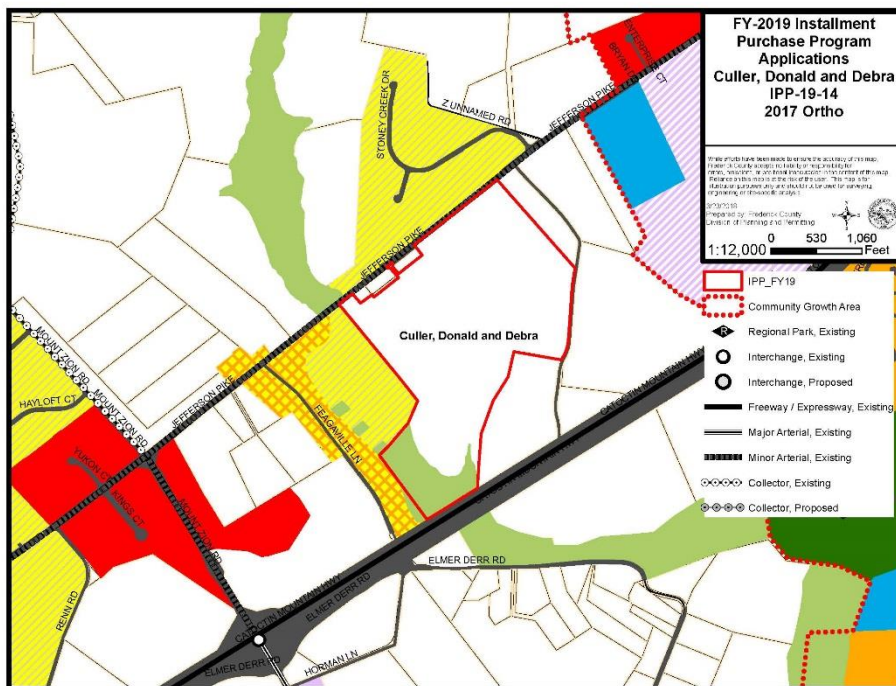
### 19-13- Douglas Adams

46.08 acres located on the north side of Myersville Road, west of Bidle Hill Court.



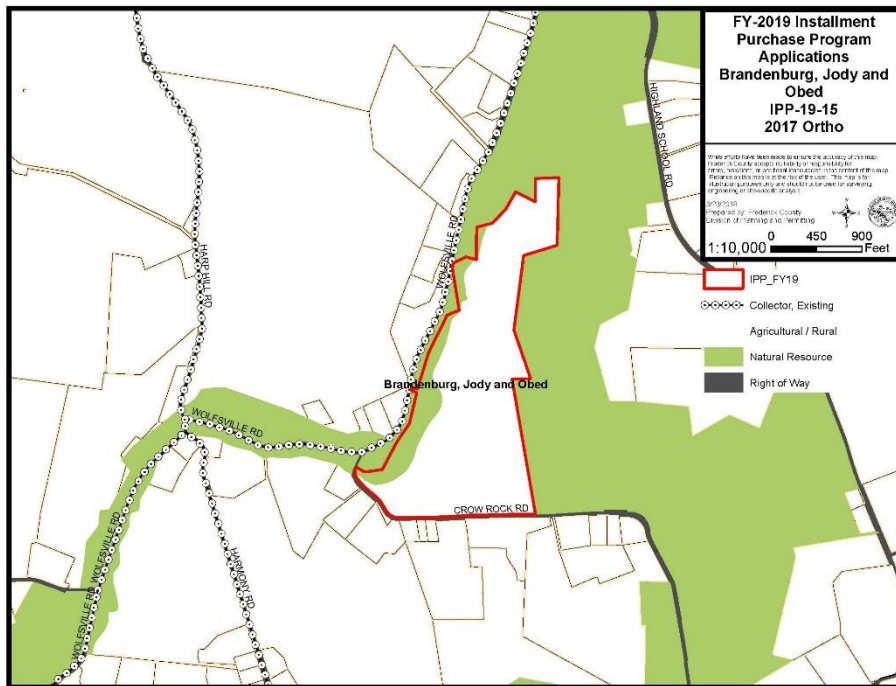
### 19-14- Donald and Debra Culler

117.6 acres located on the south side of Jefferson Pike, east of Mount Zion Road. This property is located approximately 1-mile southwest of the City of Frederick.



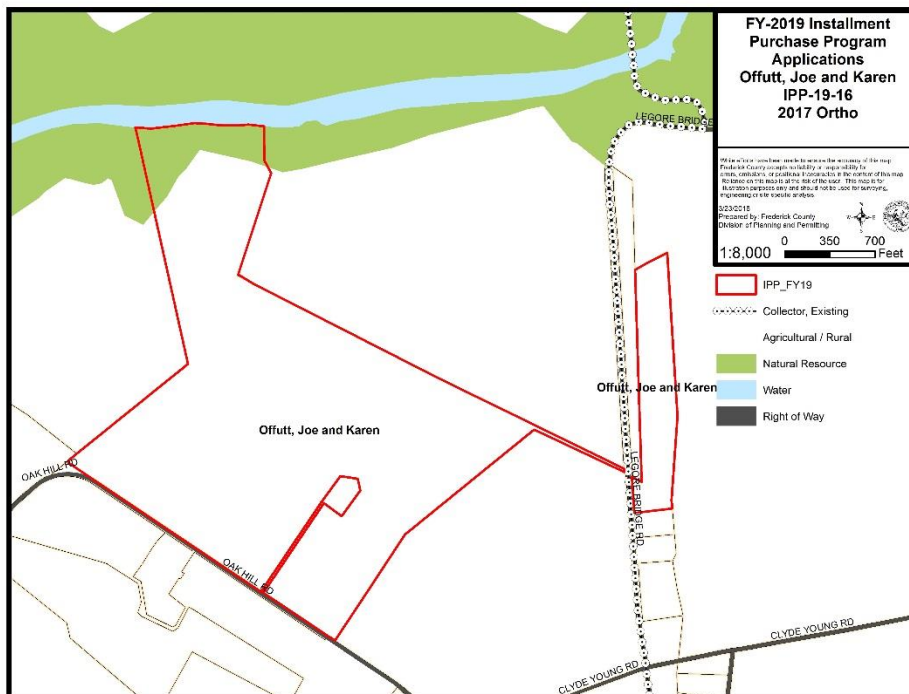
### 19-15- Jody and Obed Brandenburg

89.5 acres located on the north side of Crow Rock Road, east of Wolfsville Road.



### 19-16- Joseph and Karen Offutt

140.05 acres located on the north side of Oak Hill Road, and on the east and west sides of Legore Bridge Road.



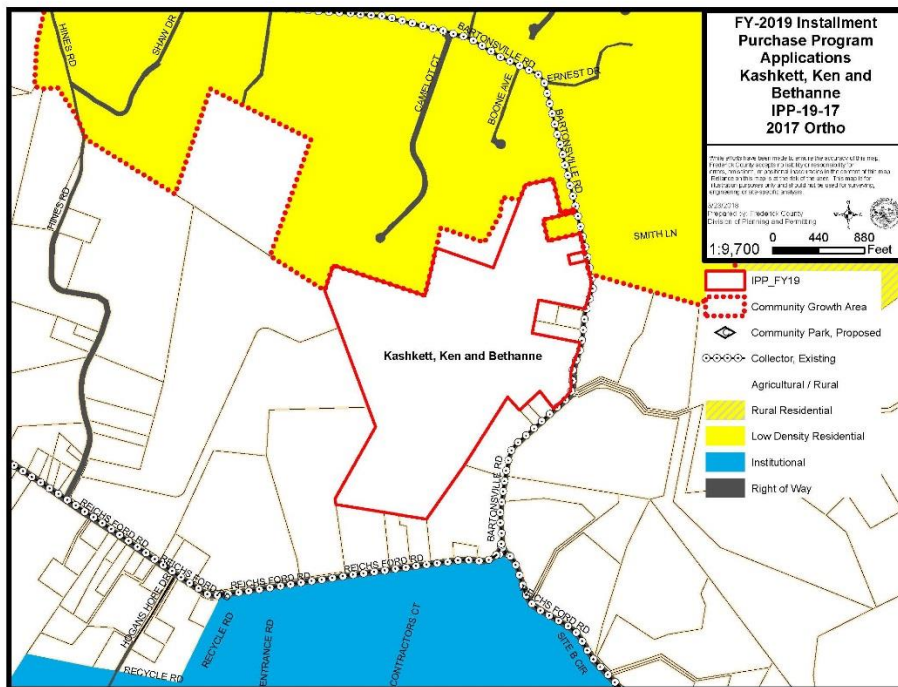
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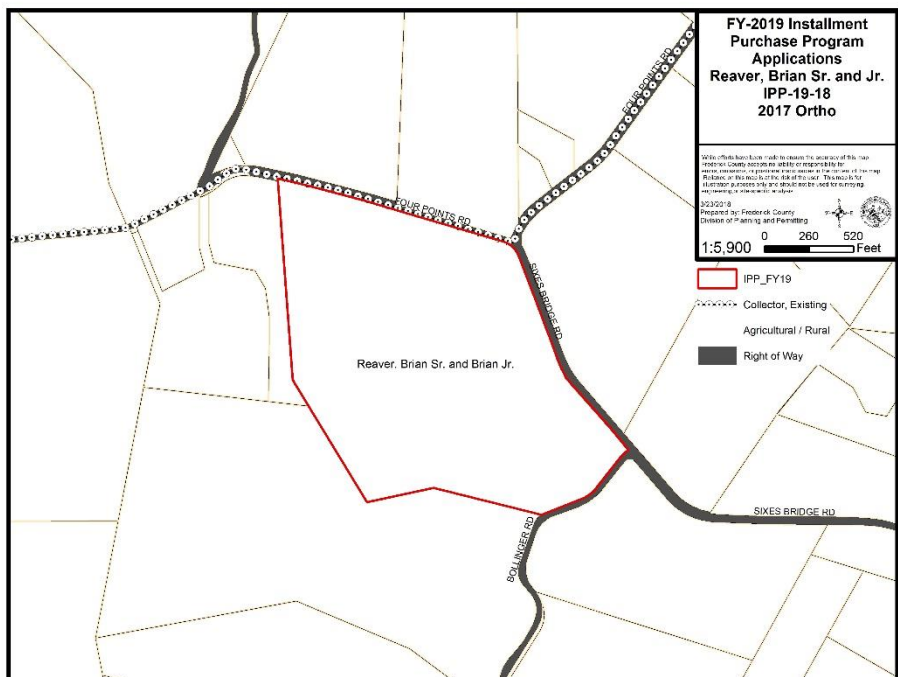
19-17- Kenneth and Bethanne Kashkett

97.44 acres located on the west side of Bartonsville Road, north of Reichs Ford Road.



19-18- Brian Reaver Sr., and Brian Reaver Jr.

57.53 acres located on the south side of Four Points Road, west of Sixes Bridge Road.



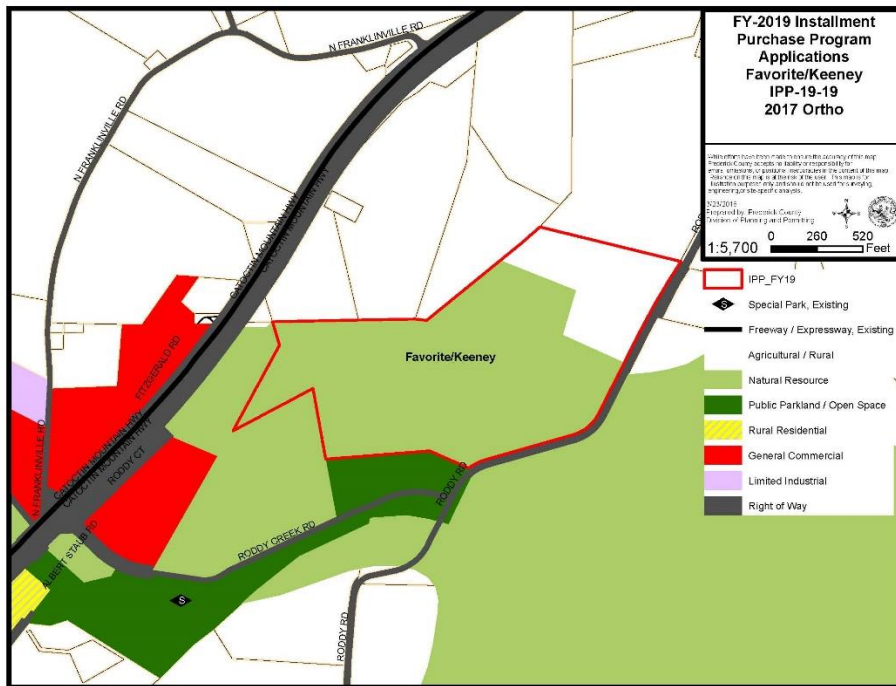
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19-19- Douglas Favorite and Donald Keeney, Jr.

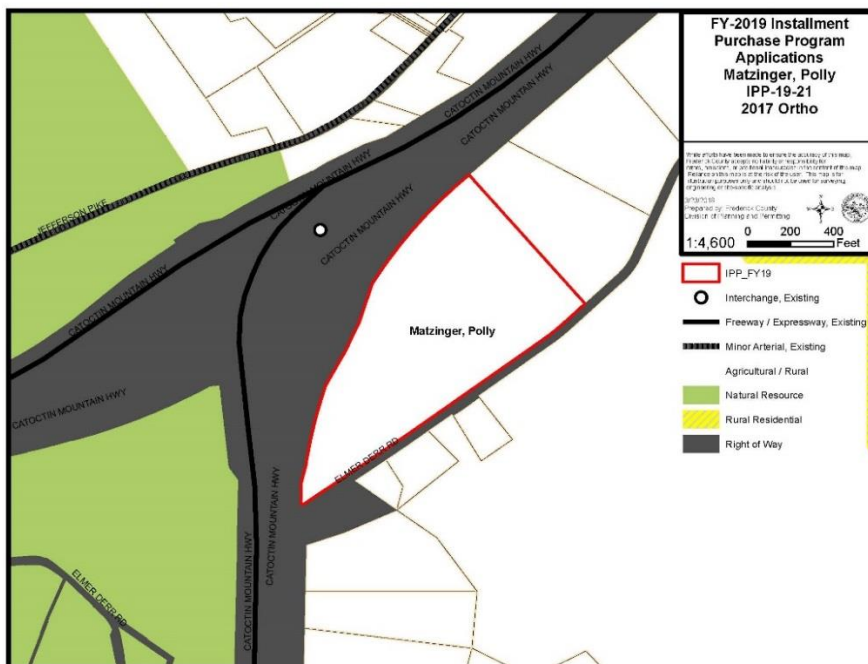
42.82 acres located on the west side of Roddy Road, north of Roddy Creek Road. This property lies ½-mile north of the Town of Thurmont.



19-20- Application Withdrawn

19-21- Dr. Polly Matzinger

20 acres located on the west side of Elmer Derr Road, west of Valley Pine Drive.



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## 19-22- Brian Sr. and Susan Reaver

7.38 acres located on the north and south sides of Four Points Road, west of Sixes Bridge Road.

